

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

IN RE:)	Case No.: 09-10332
)	Chapter 11
THE HAMMOCKS, LLC)	
<i>dba</i> RICHMOND HILL INN)	
)	
TAX ID #: 69-0007721)	
)	
Debtor(s))	

MOTION TO APPOINT CHAPTER 11 TRUSTEE OR CONVERT TO CHAPTER 7

The Bankruptcy Administrator for the Western District of North Carolina moves the Court for an order appointing a Chapter 11 Trustee or converting this case to one under Chapter 7 and says:

1. This is a Chapter 11 proceeding in which a voluntary petition was filed on or about March 25, 2009.
2. On March 26, 2009, an Operating Order was entered in this case. That Order provided, in part, that the debtor file Monthly Status Reports with the Court, pay Chapter 11 Quarterly Fees, provide copies of valid insurance policies to the Bankruptcy Administrator's Office.
3. The debtor has not filed the Monthly Status Report for September 2009.
4. The debtor owes Quarterly Fees for the third quarter of 2009.
5. According to the debtor's Schedules filed with the Court, the debtor owns real property and improvements known as Richmond Hill Inn located at 87 Richmond Hill Drive, Asheville, Buncombe County, NC and real property (2.5 acres) adjacent to Richmond Hill Inn (south side of Richmond Hill Drive), Asheville, Buncombe County, NC.
6. The attorney for the debtor has failed to forward to the Bankruptcy Administrator's office proof of renewal of the debtor's insurance policy which expired on October 19, 2009.
7. Because the debtor has listed wine in their inventory, it appears there is a need for liquor liability insurance.
8. The debtor's Schedule B also lists a 2000 Chevrolet truck, for which an automobile insurance policy has not been received.

Wherefore, the undersigned moves the Court to appoint a Chapter 11 Trustee or convert this case to a Chapter 7 proceeding and for such other and further relief as the Court deems just and proper.

Dated: November 5, 2009.

/s/ Linda W. Simpson

Linda W. Simpson

United States Bankruptcy Administrator

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CERTIFICATE OF SERVICE

The undersigned certifies that the pleading(s) or paper(s) to which this Certificate is affixed was served upon the party(s) to this action listed below by depositing a copy of the same, enclosed in a first-class postpaid, properly addressed wrapper, in a Post Office or official depository under the exclusive care and custody of the United States Postal Service and/or by means of the Electronic Filing System of the Bankruptcy Court on November 5, 2009.

The Hammocks, LLC
87 Richmond Hill Drive
Asheville, NC 28806

David G. Gray
81 Central Avenue
Asheville, NC 28801

/s/ Linda W. Simpson
Linda W. Simpson
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